

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JAMES DAVID VERNON-HUNT,

Petitioner,

-against-

CARLOS GUZMAN; US BANCORP
INVESTMENT INC.,

Respondents.

20-CV-4755 (CM)

ORDER DIRECTING PAYMENT OF
FEES OR IFP APPLICATION

COLLEEN McMAHON, Chief United States District Judge:

Petitioner James David Vernon-Hunt, proceeding *pro se*, brings this petition under the Federal Arbitration Act (FAA), 9 U.S.C. § 9, seeking to vacate an arbitration award. Petitioner submitted the petition without the \$400.00 in filing fees or an application to proceed *in forma pauperis* (IFP), that is, without prepayment of fees.

To proceed with a civil action in this Court, a plaintiff must either pay \$400.00 in fees – a \$350.00 filing fee plus a \$50.00 administrative fee – or, to request authorization to proceed without prepayment of fees, submit a signed IFP application. *See* 28 U.S.C. §§ 1914, 1915.

Accordingly, within thirty days of the date of this order, Petitioner must either pay the \$400.00 in fees or submit the attached IFP application. If Petitioner submits the IFP application, it should be labeled with docket number 20-CV-4755 (CM). If the Court grants the IFP application, Petitioner will be permitted to proceed without prepayment of fees. *See* 28 U.S.C. § 1915(a)(1).

The Clerk of Court is directed to mail a copy of this order to Petitioner and note service on the docket. No summons shall issue at this time. If Petitioner complies with this order, the case shall be processed in accordance with the procedures of the Clerk's Office. If Petitioner fails to comply with this order within the time allowed, the action will be dismissed.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444–45 (1962) (holding that appellant demonstrates good faith when seeking review of a nonfrivolous issue).

SO ORDERED.

Dated: July 7, 2020
New York, New York

A handwritten signature in black ink, appearing to read "Colleen McMahon", is written over a horizontal line.

COLLEEN McMAHON
Chief United States District Judge